

**Form 34**

**PRE-ACTION LETTER OF CLAIM FOR DEFAMATION ACTIONS**

PRIVATE AND CONFIDENTIAL  
TO BE OPENED BY ADDRESSEE ONLY

To: [Potential defendant]  
[Address]

**SECTION 1 - INTRODUCTION**

State that you are / your client is claiming against the potential defendant in connection with [*insert nature of publication or broadcast. For example, a letter / an article / a book / an online post*] which was [*published / said*] on [*date*].

**SECTION 2 – DETAILS OF PARTIES AND WORDS COMPLAINED OF**

- (a) State your / your client's full name and address.
- (b) Identify the publication or occasion where the words complained of were made. Include the date and location of the publication or occasion.
- (c) Identify the person(s) to whom the words complained of were published, broadcasted or spoken.
- (d) Set out the exact words complained of as a quotation.
- (e) Where applicable, set out a translation of the words in the English language.
- (f) Include a copy of the publication, a screenshot, or a copy of the transcript of the words complained of.
- (g) Set out details of any fact and matter which makes you / your client identifiable from the words complained of.

**SECTION 3 – MEANING OF WORDS COMPLAINED OF AND HOW THEY ARE DEFAMATORY**

- (a) Set out the natural and ordinary meaning of the words complained of.

- (b) Where applicable, set out the innuendo meaning<sup>1</sup> of the words complained of and the facts that give rise to the innuendo meaning which are known to the person(s) to whom the words complained of were made.
- (c) Provide an explanation as to why the words complained of are inaccurate or unsupportable.

#### **SECTION 4 – DAMAGE CAUSED AND REMEDIES SOUGHT**

- (a) Set out the damage caused to you / your client by the words complained of.
- (b) Set out the nature of the remedies you / your client seek(s).
- (c) Where applicable, specify the quantum of monetary damages that you / your client seek(s) and as far as possible, refer to relevant case precedents and/or other authorities.
- (d) Where applicable, enclose a draft retraction, clarification, apology and/or undertaking (see Form 35 of Appendix A1 to these Practice Directions).

#### **SECTION 5 – ADR OPTIONS AND CONCLUSION**

State your / your client's preferred mode of ADR:

- mediation at the Singapore Mediation Centre
- mediation at the Singapore International Mediation Centre
- mediation under the Law Society Mediation Scheme
- others: (Please specify)

If you do not / your client does not wish to propose or engage in ADR, please state the reasons.

Request a response to this letter of claim within 14 days of the potential defendant's receipt of this letter. State that the timelines and details set out in the Pre-Action Protocol for Defamation Actions apply.

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<sup>1</sup> In their innuendo meaning, *ie*, in some other meaning (apart from the natural and ordinary meaning) which, although not defamatory from the viewpoint of the ordinary reasonable person, is nonetheless defamatory from the viewpoint of person(s) with knowledge of the special meaning of the offending words or the relevant extrinsic facts.

State that if you do not / your client does not receive an acknowledgement or response from the potential defendant within 14 days, you / your client will be entitled to commence Court proceedings against the potential defendant without further compliance with the said Protocol.

Yours faithfully

[Signed off by claimant / claimant's solicitors]

Enclosures.